

# **EXHIBIT 4**

DAVID BROWNSTEIN  
AMY BARTOLETTI vs CITIGROUP INC.

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1	D. BROWNSTEIN	D. BROWNSTEIN
2	you compare what South Dakota does in the	2 A. Yes, absolutely.
3	market compared to what Texas does in the	3 Q. Which ones?
4	market, again, you have to look at population	4 A. Those same three.
5	to determine where is the most houses, and	5 Q. How about Texas?
6	therefore, the most debt that will be issued	6 A. I don't believe so. I don't know
7	longer term.	7 who else was involved in Texas, but I don't
8	Q. I am talking about 2008.	8 know. But I don't believe so.
9	A. I am talking about 2008 and	9 Q. How about Cal housing?
10	looking forward. You can't only look	10 A. I believe at that point really
11	backwards, you have to look forwards everyday.	11 Mike was the one who was integrally covering
12	And if you look forwards and look at how much	12 Cal housing.
13	debt South Dakota has issued since then,	13 Q. But you are not sure?
14	versus Texas, the difference is dramatic.	14 A. I believe so.
15	Q. But in 2008 and even before,	15 Q. And what other large clients was
16	wasn't South Dakota a bigger client than	16 Mike the lead banker on?
17	Texas?	17 A. Hawaii housing. Again, you are
18	MR. TURNBULL: Objection to the	18 asking me to remember a lot of names. I just
19	form.	19 simply going back that far, I don't remember
20	A. I look at them very differently	20 exactly who they were.
21	than you do.	21 Q. And were there any duplicative
22	Q. In terms of revenue?	22 relationships with Hawaii?
23	A. Again, I don't look backwards, I	23 A. Yes.
24	look forwards everyday. So I look at where	24 Q. Hawaii is a small population
25	the opportunity is going forward were for us,	25 though, isn't it?
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1	D. BROWNSTEIN	D. BROWNSTEIN
2	from that date forward in figuring out what	2 A. Hawaii has a very challenging
3	the right business decisions are, not what we	3 housing market uniquely. In that, work force
4	did last year. What we did last year won't	4 housing is a real problem. That's a problem
5	help me make money this year.	5 that will be solved with building. In other
6	Q. Why do you believe that Koessel	6 words, the problem in Hawaii is the general
7	had stronger relationships with larger clients	7 worker can't afford to live there, so there
8	than Amy?	8 needs to be lower to moderate income housing.
9	A. Because she wasn't covering those	9 Q. With respect to the population of
10	same types of clients generally, right. And	10 Hawaii, Hawaii is not likely to issue a lot of
11	so the clients that she was covering were the	11 debt?
12	large clients like New Jersey, she was	12 A. Like I said, its got a unique
13	duplicative with other people who had the	13 problem that is driven by the cost of housing.
14	relationships with the clients. So her	14 So you literally have workers living in tents
15	importance to the retention of that client was	15 because they can't afford housing.
16	limited.	16 Q. Do you know if Amy's clients has
17	Q. What clients did she have	17 any unique problems with housing?
18	duplicative relationships with?	18 A. I think Hawaii is the only unique
19	A. As I said, New Jersey as an	19 one in the United States.
20	example. Connecticut, Massachusetts.	20 Q. In the second sentence, states
21	Q. Any others?	21 that:
22	A. Those are the ones that come to	22 "Mike was making forward thinking
23	mind right now.	23 efforts to try to creatively
24	Q. And did Mr. Koessel have any	24 reinvigorate the housing group's efforts
25	relationships that were duplicative?	25 in the financial crisis."

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1                   D. BROWNSTEIN 2                   What forward thinking efforts was 3                   he making to try creatively reinvigorate? 4                   A. The problem that we have and had 5                   starting with the crisis about a year before 6                   the crisis really became difficult, was this 7                   floating rate market that required that our 8                   clients get credit enhancement from outside 9                   sources. And it was very difficult to find 10                  credit enhancement. Yet it was a necessity 11                  for our clients to maintain their business 12                  models. 13                  Mike spent time in Washington 14                  working with Fannie and Freddie and the 15                  federal government trying to find solutions to 16                  those problems. And he did, he actually was a 17                  part of the solutions that Fannie and Freddie 18                  created for the housing market. 19                  Q. That was after 2008, correct? 20                  A. I don't know when those solutions 21                  actually first hit the world, whether they 22                  were before or after, I don't know. 23                  Q. Was Amy making any -- I am sorry. 24                  When was Mike in Washington making these 25                  efforts?	Page 153	1                   D. BROWNSTEIN 2                   with the student loan piece. 3                   Q. So is that based on the fact that 4                   he spent 100 percent of his time doing housing 5                   transactions? 6                   A. That he would be the one who had 7                   the experience in housing, while Amy had the 8                   experience in housing and student loans, 9                   correct. 10                  Q. But Amy worked at Citigroup longer 11                  than Mike, correct? 12                  A. Yes. 13                  Q. And Amy was doing housing 14                  transactions throughout her career in 15                  Citigroup, correct? 16                  A. I don't that, but okay, let's 17                  assume you are correct. 18                  Q. And Mike was doing housing 19                  transactions at Citigroup his entire time, 20                  correct? 21                  A. Correct. 22                  Q. So why do you believe that Mike 23                  had more experience in the housing piece than 24                  Amy if Amy was there longer? 25                  MR. TURNBULL: Objection. Asked	Page 155
1                   D. BROWNSTEIN 2                  A. I can't give you dates. I don't 3                  have that kind of memory for you. 4                  Q. Was Amy making any forward 5                  thinking efforts to creatively reinvigorate 6                  the housing group's efforts? 7                  A. Not that I am aware of. 8                  Q. In that sentence it also states 9                  that Mr. Koessel had more experience in the 10                  housing piece of the housing group's business. 11                  Do you know if that is a true 12                  statement? 13                  A. What it says is: 14                  "In the housing group piece of the 15                  housing group's business." 16                  Q. Right. 17                  A. So what how I would read that is 18                  that while Amy had experience with both the 19                  housing group and the student loan group's 20                  part of the business. 21                  Q. So do you believe that Mike had 22                  more experience in the housing piece of the 23                  housing group's business? 24                  MR. TURNBULL: Objection. 25                  A. Yes, because he had no experience	Page 154	1                   D. BROWNSTEIN 2                  and answered. 3                  A. A couple of questions I ask you. 4                  Are you suggesting Mike didn't do housing 5                  before he came to Citi? 6                  Q. I am not suggesting anything. 7                  A. Okay. 8                  Q. I want to know if -- I want to 9                  know what you are taking into account. 10                 A. What you were suggesting is that 11                 the time period that Amy and Mike were each at 12                 Citi was different, and therefore, would put 13                 her in a different position. What I am 14                 suggesting is that Mike was involved in the 15                 housing market before he came to Citi. 16                 Q. So are you basing this on their 17                 entire career? 18                 MR. TURNBULL: Objection. Basing 19                 what? 20                 MR. DATOO: The fact that Mike had 21                 more experience in the housing piece of 22                 the housing group's business. 23                 MR. TURNBULL: You mean his 24                 interpretation of what that means? 25                 MR. DATOO: I asked him if this --	Page 156

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1	D. BROWNSTEIN	
2	MR. TURNBULL: He told you what	1 D. BROWNSTEIN
3	his interpretation was.	2 would say Mike did.
4	MR. DATOO: Are you going to let	3 Q. Based on what you know today, the
5	me finish? I asked him if these were	4 amount of experience that Mike and Amy had as
6	the reasons why Amy was let off and he	5 of 2008?
7	said yes. So now I am asking him why he	6 A. Correct.
8	believes that Mike had more experience	7 Q. You testified earlier that Mike
9	in the housing piece of the housing	8 worked in housing prior to coming to
10	group's business than Amy. I am trying	9 Citigroup?
11	to get to the bottom of this.	10 A. I didn't testify to that as far as
12	MR. TURNBULL: First of all, the	11 I know, but I believe he did.
13	question you represented to have asked	12 Q. And are you taking that into
14	him is not what you asked him. With	13 account?
15	respect to this clause, he told you how	14 A. I am taking my -- back in '08 what
16	he was interpreting the language that	15 my experience in working with the two of them
17	was written by a lawyer at Morgan,	16 showed me about each of them.
18	Lewis.	17 Q. And did you consider who had more
19	MR. DATOO: Okay.	18 experience in the housing piece of the housing
20	Q. Let me ask you this, do you	19 group's business in connection with your
21	believe that Mike had more experience in the	20 decision to select Amy for layoff?
22	housing piece of the housing group's business?	21 A. As part of the overall decision
23	A. Again, how I read this --	22 process, yes.
24	Q. I am not concerned about this	23 Q. Okay.
25	anymore. I am asking you. This aside, do you	24 THE VIDEOGRAPHER: We're now going
		25 off the record at approximately
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1	D. BROWNSTEIN	
2	believe that Mike Koessel had more experience	1 D. BROWNSTEIN
3	in the housing piece of the housing group's	2 12:51 P.M., this is the end of disk
4	business?	3 number two.
5	A. I believe that they both had and	4 (Time noted: 12:51 P.M.)
6	have significant experience in the housing	5 A F T E R N O O N S E S S I O N
7	space. However, I do believe that Mike has	6 August 30, 2012
8	more, much more experience and expertise in	7 1:56 P.M.
9	talking to people about the challenges in the	8 D-A-V-I-D B-R-O-W-N-S-T-E-I-N, resumed and
10	market and solutions to those challenges.	9 testified further as follows:
11	Q. Okay. I am sorry, are you	10 EXAMINATION (Continued)
12	finished?	11 BY MR. DATOO:
13	A. Yes, I am finished.	12 THE VIDEOGRAPHER: This is the
14	Q. My question is: Experience in the	13 beginning of disk number three in the
15	housing piece of the housing group's business,	14 Brownstein deposition. We're going back
16	who do you believe has more experience, if	15 on the record at 1:56 P.M..
17	anyone has more experience?	16 Q. Mr. Brownstein, did you ever go on
18	A. My personal view as of today is	17 vacation with any Citigroup employees?
19	Mike has more experience and has more	18 A. Loads of vacations with Citigroup
20	expertise in that space.	19 employees.
21	Q. I am going back to 2008.	20 Q. And were they in connection with
22	A. Based on what I know today, I	21 Citigroup functions or personal?
23	would say Mike did.	22 A. Personal.
24	Q. I am going back to 2008.	23 Q. When you say "loads," how many are
25	A. Based on what I know today, I	24 you talking about?
		25 A. The last trip I went on was with

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<p>1           D. BROWNSTEIN 2 probably eight or ten Citigroup people. 3        Q. And would you consider these 4 people your friends? 5        A. Friends, acquaintances. 6        Q. And did you ever go on vacation 7 with any female employees of Citigroup? 8        A. Well, the last vacation I went on 9 was with a group of people, but, you know, 10 Tricia Strasso was with me. She is who went 11 with me on the vacation. Let's see, other 12 employees have their spouses or fiances or 13 girlfriends with them. So you know, it 14 varied. 15       Q. But with respect to Citigroup 16 employees, were any of these fiances or 17 spouses Citigroup employees? 18       A. No. 19       Q. When did you go on this last 20 vacation with, was it Tricia? 21       A. Tricia and it was a fairly big 22 group. It was to Jamaica, it was about two 23 years ago. 24       Q. And other than -- I am sorry, 25 Tricia?</p>	<p>1           D. BROWNSTEIN 2 done that -- gone on vacation with Citigroup 3 employees probably in ten years, so it would 4 be a long time ago. I'd have to go back and 5 think about it. 6        Q. Okay. 7        A. Probably 15 years ago, before that 8 one. 9        Q. Now as you sit here today, can you 10 remember going on vacation with any Citigroup, 11 female Citigroup employees, other than this 12 wedding? 13       A. That was really a vacation. I 14 mean, it was partly a wedding, but we were 15 going on vacation. So we rented a villa, 16 stayed in a villa. It was Trish and me and 17 three other people from -- not all of them 18 from Citigroup, but again, I'd have to go back 19 because I don't think I have been on vacation 20 before that with Citi people for a long time. 21       Q. Did you ever go on vacation with 22 Mike Koessel? 23       A. No. 24       Q. What is Tricia's position at 25 Citigroup?</p>
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<p>1           D. BROWNSTEIN 2        A. Tricia. 3        Q. Other than Tricia, has any female 4 employee from Citigroup gone on vacation with 5 you? 6        A. Well, there were other female 7 employees at -- I mean, this was a function we 8 went to, personal function. Amy Yang was 9 there. Jeanette Price was there. It was a 10 couple of years ago, so I'd have to think 11 about a whole list of who was there. 12       Q. What was the personal function? 13       A. It was Amy and John's wedding. 14       Q. Okay. It was a destination 15 wedding? 16       A. Yes. 17       Q. So they invited you to come to the 18 wedding? 19       A. Ahem. Yes. 20       Q. Now other than this wedding, have 21 you gone on vacation with any Citigroup 22 employees? 23       A. Sure. As I said -- 24       Q. Female Citigroup employees. 25       A. I'd need to think back. I haven't</p>	<p>1           D. BROWNSTEIN 2        A. She is an administrative 3 assistant. 4        Q. When you were either head or 5 co-head of the derivatives group, did you 6 evaluate your employees on their performance? 7        A. Sure. 8        Q. And do you recall being in a 9 situation where you were only allowed to 10 numerically grade people -- strike that. Do 11 you recall ever being capped at how many 1's 12 or 2's or 3's you could give to your 13 employees? 14       A. No. 15       Q. Do you believe that this cap was 16 instituted once you became co-head of the 17 public finance department? 18       A. I can't remember a time. 19       Q. What was Chia Siu's job title in 20 November of 2008? 21       A. She was an analyst in the housing 22 group. 23       Q. And what were her job duties? 24       A. She ran numbers, she did 25 presentation books, she assisted with</p>

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1 D. BROWNSTEIN	1 D. BROWNSTEIN
2 closings. The same time things that every	2 these conversations or the conversation you
3 analyst does.	3 had with Mike Koessel?
4 Q. What's the difference between the	4 MR. TURNBULL: Objection to the
5 job duties of an analyst and the job duties of	5 form. You can answer.
6 an associate in the housing group?	6 A. Well, Amy and Mike were very
7 A. Well, again, I don't think the job	7 concerned, as I believe you know, back when
8 description would be very different, you'd	8 Nick was let go that she was going to leave.
9 expect an associate to take on more	9 And so they talked to me about her. I met
10 responsibility themselves. And to need less	10 with her to talk about it, her concern was --
11 supervision doing those responsibilities than	11 so yes, they in fact did speak to me about her
12 an analyst.	12 specifically at that time, but that wasn't
13 Q. Is that true of the housing group,	13 about her performance.
14 the expectation?	14 Q. What do you remember being told
15 A. That would be the expectation of	15 about Chia's performance?
16 all analysts and associates.	16 A. I was told she did superb work.
17 Q. Companywide?	17 Q. Who told you that?
18 A. In our business.	18 A. Mike and Amy.
19 Q. I am sorry?	19 Q. Did Mike ever compare her to other
20 A. In the municipal securities	20 associates he's seen?
21 business.	21 MR. TURNBULL: Objection to the
22 Q. And when you say more	22 form.
23 responsibility, what exactly do you mean?	23 A. I don't recall.
24 A. Well, as I said, I think that the	24 Q. Did Mike ever tell you that she
25 functions would be fairly similar, but the	25 was one of two really exceptional analysts he
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1 D. BROWNSTEIN	1 D. BROWNSTEIN
2 expectations are that the associate would take	2 has seen while at Citi?
3 on more of the responsibility, meaning that	3 A. He may have. It doesn't surprise
4 they would need less supervision to do the	4 me to hear that he would say that.
5 work accurately themselves.	5 Q. Why wouldn't it surprise you?
6 Q. Were you familiar with Chia's work	6 A. Because both he and Amy said she
7 performance?	7 was very good.
8 A. I understood that Chia did a very	8 Q. Did you have a chance to observe
9 good job, yes.	9 her work performance while you were managing
10 Q. How so?	10 the housing group?
11 A. That's what Amy and Mike	11 A. No.
12 continually told me.	12 Q. Why is that?
13 Q. Did you ever have any	13 A. There would be no reason for me to
14 conversations with Nick Fluehr about Chia's	14 on a day-to-day basis deal with an analyst in
15 work performance?	15 the housing group.
16 A. Not that I recall.	16 Q. Who would be responsible for
17 Q. Were you aware of any deficiencies	17 dealing with an analyst?
18 in Chia's performance?	18 A. Amy --
19 A. Not that I am aware of, no.	19 MR. TURNBULL: Objection to the
20 Q. Did you ever have a discussion	20 form. Go ahead.
21 with Mike Koessel about Chia's work	21 A. Amy, Mike, Ping, they would have
22 performance?	22 been the ones that day to day would have dealt
23 A. I don't recall, but I would be	23 with the analysts and associates.
24 surprised if I didn't with him and with Amy.	24 Q. And they would have been managing
25 Q. And do you recall who initiated	25 the analyst?

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1 D. BROWNSTEIN 2 him on this transaction? 3 A. I can't tell you timing. 4 Q. What did you think about his work 5 performance? 6 A. I thought Ray was very good. I 7 think he is very good. 8 Q. Did you ever work with Ping? 9 A. Yes, I did. 10 Q. On a transaction? 11 A. There were a couple of times Ping 12 needed help with things that she would come to 13 me for assistance with. So I had the 14 opportunity to work with her as well. 15 Q. What did you think about her work 16 performance? 17 A. I thought she was very, very good. 18 Q. Do you know who Jian Yang is? 19 A. I know the name and that was a 20 member of the housing group at some point. I 21 don't know when. 22 Q. Do you know him as Jian Yang? 23 A. Yes. 24 Q. Did you ever have the opportunity 25 to work with Jian Yang?	Page 173	1 D. BROWNSTEIN 2 Q. Did you ever participate in any 3 way? 4 A. I am sorry? 5 Q. Did you ever comment on their 6 performance evaluations, make any comments in 7 their evaluations? 8 A. No. 9 Q. Now did there come a time when you 10 were involved in discussions about promoting 11 Chia? 12 A. Yes. 13 Q. When was that? 14 A. Right after Nick was let go in 15 RIF. 16 Q. Can you tell me about those 17 conversations? 18 A. What I could tell you is that Amy 19 and Mike were both concerned that Chia would 20 leave and they wanted to see -- they wanted 21 two things. One, they wanted me to talk with 22 her about where we were headed as a business. 23 And two, they wanted to find out whether we 24 would could promote her to associate to try 25 and give her incentive to stay.	Page 175
1 D. BROWNSTEIN 2 A. No. 3 Q. Did you know anything about his 4 work performance? 5 A. I didn't. 6 Q. And other than the time or times 7 he worked with Raymond Hsieh, did you know 8 anything about his work performance? 9 A. Well, I heard from both Amy and 10 Mike as well that he was very, very good. 11 They were very happy with almost everyone in 12 that group. 13 Q. Was there someone they were not 14 happy with? 15 A. They just didn't comment on 16 everybody. So when I say very, very happy, it 17 is because they would tell me they were very 18 happy with them. 19 Q. Did you ever in 2008, did you ever 20 review any analyst or associates performance 21 evaluations? 22 A. No. 23 Q. Did you ever participate in any of 24 their performance reviews? 25 A. No.	Page 174	1 D. BROWNSTEIN 2 Q. And did you talk to Chia? 3 A. Yes. 4 Q. How long after this conversation 5 with Amy and Mike? 6 MR. TURNBULL: Objection to the 7 form. 8 A. I believe it was the next day. 9 Q. Did you have a conversation with 10 Amy -- strike that. Did you have a 11 conversation about Chia with Amy and Mike 12 together? 13 A. I don't know. 14 Q. What did you talk to Chia about? 15 A. As I said, Chia's concern was as 16 much as anything, whether we were committed to 17 being in the housing business. And what I 18 told her was that this was clearly a very 19 challenging time, not just for the industry 20 but for also particularly for Citi. And that 21 while we hoped we would continue to be in that 22 business, I couldn't give her any guarantees 23 as to whether we would be or not. 24 Q. Did you say anything else to her? 25 A. I told her that I heard that her	Page 176

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<p>1                   D. BROWNSTEIN</p> <p>2 work was very good, that we'd like to have her</p> <p>3 continue with us, and I don't know if it was</p> <p>4 in that discussion, but at some point along</p> <p>5 the way we got approval from HR to tell her</p> <p>6 that we would promote her to associate in</p> <p>7 December or for January. And so I am sure I</p> <p>8 passed along that information to her as well.</p> <p>9           Q. What did Chia say to you when you</p> <p>10 had this discussion?</p> <p>11          A. She said that -- the only things I</p> <p>12 recall her saying was that she wasn't sure</p> <p>13 that she was going to stay, that she still</p> <p>14 wasn't very comfortable and would think about</p> <p>15 it. And that was my only discussion with her.</p> <p>16          Q. Do you recall at what point you</p> <p>17 were given approval by HR to promote her?</p> <p>18          A. I don't.</p> <p>19          Q. And when you had this, was this</p> <p>20 after you had this conversation with Chia?</p> <p>21          A. I don't recall.</p> <p>22          Q. Well, did you tell her this</p> <p>23conversation that she was going to be</p> <p>24 promoted?</p> <p>25          A. I would have only done it after I</p>	<p>Page 177</p> <p>1                   D. BROWNSTEIN</p> <p>2 told her her promotion was approved?</p> <p>3                MR. TURNBULL: Objection. Asked</p> <p>4 and answered. It's the exact same</p> <p>5 thing.</p> <p>6           Q. You can answer.</p> <p>7           A. What I tell you is that, we never</p> <p>8 got a full answer from Chia as to whether she</p> <p>9 was going to stay. So irrespective of whether</p> <p>10 that discussion included that she be promoted</p> <p>11 or not, she never told us she was at a point</p> <p>12 where she was comfortable staying at the firm.</p> <p>13           Q. I appreciate that, but my question</p> <p>14 was, did you when you had this conversation</p> <p>15 with Chia, where she allegedly told you she</p> <p>16 wasn't sure if she was going to stay, was that</p> <p>17 before or after you told her her promotion was</p> <p>18 approved?</p> <p>19           MR. TURNBULL: Objection.</p> <p>20          A. In both instances, before and</p> <p>21 after. She never told me she was comfortable</p> <p>22 she was going to stay at the firm. So that</p> <p>23 would be my first discussion with her, and</p> <p>24 then if it was separate, the discussion where</p> <p>25 I offered her a promotion in December.</p>
<p>1                   D. BROWNSTEIN</p> <p>2 had approval from HR, so I can't tell you the</p> <p>3 timing of each piece of that.</p> <p>4          Q. And when Chia -- when you had this</p> <p>5 conversation with Chia and she said she</p> <p>6 allegedly said she wasn't going sure she was</p> <p>7 going to stay. Was that before or after you</p> <p>8 told her that her promotion is approved?</p> <p>9            MR. TURNBULL: That's the same</p> <p>10 question you just asked with different</p> <p>11 words.</p> <p>12          A. I have to go back. "Alleged"</p> <p>13 means you are implying that I am not telling</p> <p>14 you the truth. I am telling you the truth.</p> <p>15 If you are going to ask me questions about the</p> <p>16 facts I present to you, follow them as you</p> <p>17 could say as you said, okay. But I don't want</p> <p>18 to be second-guessed on what I am saying to</p> <p>19 you. I am here under oath stating the facts</p> <p>20 as I recall them.</p> <p>21          Q. Please don't tell me how to ask</p> <p>22 the questions. I just want to know if you</p> <p>23 when you spoke to Chia and she said,</p> <p>24 allegedly, that she was wasn't sure if she was</p> <p>25 going to say, was that before or after you</p>	<p>Page 178</p> <p>1                   D. BROWNSTEIN</p> <p>2           Q. Do you recall having the second</p> <p>3 discussion with her?</p> <p>4            MR. TURNBULL: Objection. Asked</p> <p>5 and answered.</p> <p>6          A. I don't recall whether was two</p> <p>7 discussions or not. I do know that she was</p> <p>8 sent a letter from HR for promotion to</p> <p>9 associate, which as far as I heard from HR,</p> <p>10 she never signed.</p> <p>11          Q. Are you sure that was a letter</p> <p>12 regarding a promotion to associate?</p> <p>13          A. Yes.</p> <p>14          Q. You are absolutely positive?</p> <p>15           MR. TURNBULL: Objection.</p> <p>16          A. I believe that's the case.</p> <p>17          Q. So you are not sure now?</p> <p>18          A. I believe that's the case. That's</p> <p>19 my best recollection.</p> <p>20          Q. Who had to approve the promotion</p> <p>21 for Chia?</p> <p>22          A. Someone in human resources. I</p> <p>23 can't tell you who that would have been at the</p> <p>24 time. It would have probably been Denise</p> <p>25 Dominguez.</p>

DAVID BROWNSTEIN  
AMY BARTOLETTI vs CITIGROUP INC.

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181-184

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<p>1                   D. BROWNSTEIN</p> <p>2       Q. Does she determine who gets</p> <p>3 promoted in the groups or do you or Frank Chin</p> <p>4 make that determination?</p> <p>5       A. Chia's promotion would have been</p> <p>6 an off-cycle promotion. We don't approve</p> <p>7 off-cycle promotions, they have to go to human</p> <p>8 resources for approval.</p> <p>9       Q. And if human resources approves</p> <p>10 off-cycle promotion, then is it up to you and</p> <p>11 Mr. Chin to determine whether this person is</p> <p>12 going to be promoted or not?</p> <p>13      A. Correct.</p> <p>14      Q. Does Mr. Feinstein play a role in</p> <p>15 promotion decisions for analysts and</p> <p>16 associates?</p> <p>17      A. Absolutely.</p> <p>18      Q. Do you know if he was consulted</p> <p>19 with respect to Chia's promotion?</p> <p>20      A. I don't. I don't know if he would</p> <p>21 have been consulted or on that since it was an</p> <p>22 off-cycle promotion.</p> <p>23      Q. Do you know why he would -- why</p> <p>24 would an off-cycle promotion leave him out of</p> <p>25 the loop on those?</p>	<p>1                   D. BROWNSTEIN</p> <p>2       Q. And so he is not required to be --</p> <p>3 he is not required to participate in promotion</p> <p>4 decisions for analysts?</p> <p>5       A. If it is an off-cycle promotion</p> <p>6 for specific unique business reasons, that's a</p> <p>7 decision Frank and I can make on our own.</p> <p>8       Q. Why did you agree to promote Chia?</p> <p>9       A. I think I have said this to you</p> <p>10 before. One of the challenges of going</p> <p>11 through four RIFs is that you unfortunately</p> <p>12 lose very good people, very important people</p> <p>13 to our business. You don't want to go through</p> <p>14 a RIF and then have someone quit, because if</p> <p>15 they do, now you've reduced your staff even</p> <p>16 further. So the reason to promote her would</p> <p>17 be to do our best to retain her, because there</p> <p>18 was a big question as to whether she would</p> <p>19 stay.</p> <p>20      Q. Now after she was informed of the</p> <p>21 promotion, did she tell you that she was still</p> <p>22 unhappy?</p> <p>23      A. My recollection of all my</p> <p>24 discussions with her were, I am still thinking</p> <p>25 about it. So it is not that she said I am</p>
Page 182	Page 184
<p>1                   D. BROWNSTEIN</p> <p>2       MR. TURNBULL: Objection to the</p> <p>3 form. That's not the testimony.</p> <p>4       Q. Let me ask it a different way.</p> <p>5 Why would he not be consulted on an off-cycle</p> <p>6 promotion?</p> <p>7       MR. TURNBULL: Objection to the</p> <p>8 form.</p> <p>9       A. He may have been consulted, but he</p> <p>10 wouldn't have been needed to be consulted.</p> <p>11      Q. Why not? Why not?</p> <p>12      A. Because we don't need to consult</p> <p>13 him. It is not part of his traditional</p> <p>14 functions.</p> <p>15      Q. If it was an on-cycle promotion,</p> <p>16 would he have to be consulted?</p> <p>17      A. Well, he wouldn't have to be</p> <p>18 consulted, but he would have been consulted.</p> <p>19      Q. And why is that?</p> <p>20      A. Why which part?</p> <p>21      Q. Why would he be consulted?</p> <p>22      A. Because he is responsible for</p> <p>23 management of the analyst.</p> <p>24      Q. And associates or just analysts?</p> <p>25      A. Just analysts.</p>	<p>1                   D. BROWNSTEIN</p> <p>2 unhappy or I am happy, it is that she was not</p> <p>3 prepared to commit at any point in my</p> <p>4 discussions with her to remaining at the firm.</p> <p>5       Q. And did she use those specific</p> <p>6 words?</p> <p>7       A. I believe her words to me were, I</p> <p>8 am not sure if I am going to stay, if you want</p> <p>9 to get specific as to words.</p> <p>10      Q. And do you know if she ever told</p> <p>11 Amy that she was going to stay?</p> <p>12      A. I don't. But I don't believe so,</p> <p>13 because Amy would have told me and we were</p> <p>14 always still concerned about whether Chia was</p> <p>15 going to stay. So I think that information</p> <p>16 would have been shared with me.</p> <p>17      Q. Now after you had this</p> <p>18 conversation with Chia where you told her she</p> <p>19 was going to be promoted, did you have anymore</p> <p>20 conversations with her?</p> <p>21      A. I don't recall.</p> <p>22      Q. Had you ever spoken to Chia in the</p> <p>23 past prior to speaking with her at the urging</p> <p>24 of Amy and Mike?</p> <p>25      A. Not that I am aware of.</p>

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185-188

<p>1 D. BROWNSTEIN 2 Q. And you don't recall if you had 3 one or two conversations with Chia? 4 A. I don't. 5 Q. Do you recall telling Chia that 6 you were going to seek a promotion for her? 7 A. I don't. But it is quite possible 8 then that there were two discussions, one 9 where I said we will seek it and one where we 10 hadn't, right, but I don't recall the timing. 11 There is just -- there were too many other 12 things going on for me to remember this one 13 event. 14 Q. And now after Chia was told she 15 was going to be promoted, did you ever hear, 16 after you had that discussion with her, did 17 you ever hear anything about her being unhappy 18 at Citigroup? 19 A. I did hear she hadn't decided 20 whether she was going to stay irrespective. 21 Q. This was subsequent to the 22 conversation? 23 A. Correct. 24 Q. The second conversation you may 25 have had with her?</p>	<p>Page 185</p> <p>1 D. BROWNSTEIN 2 Q. Do you know when she didn't sign 3 this letter? 4 A. I don't. 5 MR. TURNBULL: Objection to the 6 form. 7 MR. DATOO: Point taken. 8 Q. Do you know when this letter was 9 presented to her? 10 A. I don't. 11 Q. Do you know when she had to sign 12 it by? 13 A. I don't. 14 Q. Could she have worked at Citigroup 15 without signing this letter? 16 A. Yes. 17 Q. Do you recall telling her that she 18 is being promoted after she didn't sign this 19 letter? I am sorry, after the letter was 20 presented to her. 21 A. I don't know. 22 Q. So you don't know if the letter 23 was presented to her after you told her she 24 was being promoted? 25 A. I don't.</p>
<p>1 D. BROWNSTEIN 2 A. Correct. 3 Q. And who did you hear that from? 4 A. Both Amy and Mike. 5 Q. So Amy told you that Chia still 6 wasn't sure she wanted to stay, even after you 7 told her that she was going to be promoted 8 effective December? 9 A. Correct. 10 Q. And Mike said the same thing? 11 A. Correct. 12 Q. Did you hear anything else from 13 anybody else? 14 A. I heard that she -- once she 15 received again the promotion letter, that we 16 hadn't received a signed copy back. 17 Q. Do you know if it was a letter 18 regarding her being a third year analyst or 19 her being promoted? 20 A. I don't. It could have been her 21 third year analyst letter that she didn't 22 sign. I don't know which. I know that -- I 23 recall that she didn't sign a letter that was 24 -- would have been her contract for continued 25 service to the firm.</p>	<p>Page 186</p> <p>1 D. BROWNSTEIN 2 Q. And you don't recall the date you 3 told her when she was being promoted? 4 A. No. 5 Q. Do you know how long the process 6 was between the time Amy and Mike approached 7 you about promoting Chia and the time it took 8 for her to be promoted? 9 MR. TURNBULL: Objection to the 10 form. 11 A. I don't. 12 Q. Do you know if it was more than a 13 month? 14 MR. TURNBULL: Objection to the 15 form. 16 A. I don't. 17 Q. Do you recall having more than one 18 conversation with Amy about promoting Chia 19 before you told her she was being promoted? 20 A. I don't recall. 21 Q. The same question for Mike. 22 A. I don't recall. 23 Q. Who was Raymond Hsieh job title? 24 A. I believe he was an associate. 25 Q. And what were his job duties?</p>

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AMY BARTOLETTI vs CITIGROUP INC.

August 30, 2012  
197-200

Page 197	Page 199
<p>1 D. BROWNSTEIN</p> <p>2 A. Yes.</p> <p>3 Q. Were you involved in the decision</p> <p>4 to select Chia for layoff?</p> <p>5 A. Yes, correct.</p> <p>6 Q. How were you involved?</p> <p>7 A. I was the one who put everyone's</p> <p>8 name on the RIF list who was on there from the</p> <p>9 housing group.</p> <p>10 Q. And why did you select Chia for</p> <p>11 RIF?</p> <p>12 A. Because my concern as I noted</p> <p>13 earlier for other people is that if we let</p> <p>14 other people in that group go that was more</p> <p>15 likely than not at this point that Chia would</p> <p>16 choose to leave. And I needed to make sure</p> <p>17 that the people we kept, that I could do the</p> <p>18 best job I could to keep them, so that we</p> <p>19 wouldn't lose more staff than we were already</p> <p>20 being challenged to lose through the RIF</p> <p>21 process.</p> <p>22 Q. So did you select Chia for</p> <p>23 inclusion in the RIF because you thought she</p> <p>24 was going to leave?</p> <p>25 A. Because of the number of people we</p>	<p>1 D. BROWNSTEIN</p> <p>2 after you told her she was going to be</p> <p>3 promoted and she was going to stay at the</p> <p>4 firm, would you still have selected her for</p> <p>5 layoff?</p> <p>6 MR. TURNBULL: Objection to the</p> <p>7 form.</p> <p>8 A. I don't know since she didn't. I</p> <p>9 can't answer that question.</p> <p>10 Q. So was Chia more qualified than</p> <p>11 any of the people that were retained in the</p> <p>12 housing group?</p> <p>13 MR. TURNBULL: Objection to the</p> <p>14 form.</p> <p>15 MR. DATOO: What's wrong with the</p> <p>16 form?</p> <p>17 MR. TURNBULL: I don't know what</p> <p>18 you mean by "more qualified."</p> <p>19 Q. Was Chia qualified, more qualified</p> <p>20 than anybody else that remained in the housing</p> <p>21 group?</p> <p>22 MR. TURNBULL: Objection to the</p> <p>23 form.</p> <p>24 A. Again, this isn't about anything</p> <p>25 more than making sure we maintained staffing</p>
Page 198	Page 200
<p>1 D. BROWNSTEIN</p> <p>2 were going to let go, I was concerned that</p> <p>3 given the history with Chia over the past six</p> <p>4 months, that yes, Chia would leave as soon as</p> <p>5 the other people were RIFed.</p> <p>6 Q. What do you mean because of the</p> <p>7 number of people you were going to let go?</p> <p>8 A. In the housing group, we let four</p> <p>9 people out of seven go. So if she wasn't in</p> <p>10 that four and was one of the three remaining,</p> <p>11 that since she was already concerned when all</p> <p>12 we got rid of was one person, that we weren't</p> <p>13 committed to the housing business any longer.</p> <p>14 And she was concerned about staying. That it</p> <p>15 was clear to me that she would choose to leave</p> <p>16 when the group was cut so dramatically through</p> <p>17 the fourth RIF.</p> <p>18 Q. Even though she was going to be</p> <p>19 promoted two months from then?</p> <p>20 A. Again, I never was given an</p> <p>21 indication that she had chosen to stay at the</p> <p>22 firm, irrespective of the fact that we had</p> <p>23 notified her that we were going to promote</p> <p>24 her.</p> <p>25 Q. And if she gave an indication</p>	<p>1 D. BROWNSTEIN</p> <p>2 and that what we had were people who would</p> <p>3 continue to work at the firm.</p> <p>4 My decision process wasn't about</p> <p>5 whether one employee was more qualified than</p> <p>6 another at that point.</p> <p>7 Q. But my question is: Was Chia a</p> <p>8 better performer than other people you were</p> <p>9 retained?</p> <p>10 A. Again, I can't say whether she was</p> <p>11 a better performer or not because of my direct</p> <p>12 experience, but that wasn't the decision</p> <p>13 process I went through.</p> <p>14 Q. So you don't know who were better</p> <p>15 performers in the group?</p> <p>16 A. I think both Ray and Mike are</p> <p>17 stellar performers and were. And they were</p> <p>18 the important components of what we kept.</p> <p>19 Q. How about Ping?</p> <p>20 A. I think that he was a very junior</p> <p>21 analyst, and what he could do for us at that</p> <p>22 point was very simple presentation books,</p> <p>23 which Mike would need to help him get out</p> <p>24 there in front of clients and talk about the</p> <p>25 market.</p>

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AMY BARTOLETTI vs CITIGROUP INC.

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201-204

<p>1 D. BROWNSTEIN</p> <p>2 So from the perspective of what we</p> <p>3 needed at that moment, he was a good candidate</p> <p>4 for that role.</p> <p>5 Q. And so is it your testimony that</p> <p>6 Ping was a better performer than Chia?</p> <p>7 A. That's not what I said.</p> <p>8 Q. Okay. Was Jian a better performer</p> <p>9 than Chia?</p> <p>10 A. They had different roles in the</p> <p>11 group. They were both performed admirably</p> <p>12 within their roles.</p> <p>13 Q. They were both analyst, right?</p> <p>14 A. They were different level</p> <p>15 analysts. There is first year analyst, second</p> <p>16 year analyst, third year analyst and then an</p> <p>17 associate. Within each year of analyst</p> <p>18 programs the expectations is the work that you</p> <p>19 do is very different, and the knowledge is</p> <p>20 very different.</p> <p>21 Q. Could she have done the work that</p> <p>22 Jian was doing?</p> <p>23 A. First year's analyst work?</p> <p>24 Q. Yes.</p> <p>25 A. If you asked a third year analyst</p>	<p>Page 201</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. How do you know that?</p> <p>3 A. Because every analyst is looking</p> <p>4 for opportunities to growth and improve, not</p> <p>5 to do work that they did last year.</p> <p>6 Q. Do you know what Chia was</p> <p>7 thinking?</p> <p>8 A. I know that Chia was thinking</p> <p>9 about whether she should stay at the firm or</p> <p>10 not, that's what she told me. And never gave</p> <p>11 me any indication.</p> <p>12 Q. Did she tell you if she had to do</p> <p>13 first year analyst work she would leave?</p> <p>14 A. What she told me she wasn't</p> <p>15 confident in our interest in being in this</p> <p>16 business, so she wasn't determined whether she</p> <p>17 was going to stay or not.</p> <p>18 Q. I asked you if she told you if she</p> <p>19 had to do a first year analyst work, would she</p> <p>20 have?</p> <p>21 A. Absolutely not.</p> <p>22 Q. Did you hear from anyone that if</p> <p>23 she had to do first year analyst's work she</p> <p>24 would leave?</p> <p>25 A. No.</p>	<p>Page 203</p>
<p>1 D. BROWNSTEIN</p> <p>2 to do first year analyst's work, they will</p> <p>3 leave because they will be so bored.</p> <p>4 Q. I am asking, could she have</p> <p>5 performed his work?</p> <p>6 A. I have given you my answer.</p> <p>7 Q. That didn't answer my question. I</p> <p>8 asked you if she could perform his work.</p> <p>9 A. I don't know if she could perform</p> <p>10 his work.</p> <p>11 Q. You don't know if she could have</p> <p>12 done the work of a first year analyst?</p> <p>13 A. And actually continued to do it,</p> <p>14 no.</p> <p>15 Q. My question is --</p> <p>16 A. Did she have the knowledge?</p> <p>17 Q. Yes.</p> <p>18 You got to let me finish asking my</p> <p>19 question.</p> <p>20 You don't know if Chia could have</p> <p>21 perform the work of a first year analyst?</p> <p>22 A. She could have performed the work</p> <p>23 of a first year analyst, but she wouldn't have</p> <p>24 stayed and continued to do it because she</p> <p>25 would have been unhappy.</p>	<p>Page 202</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Okay. Do you know if Pian Yang</p> <p>3 could have done the work of a third year</p> <p>4 analyst?</p> <p>5 A. No, he could not.</p> <p>6 Q. How about first year associate?</p> <p>7 A. No, he could not.</p> <p>8 Q. Is Pian Yang still at Citigroup?</p> <p>9 A. No.</p> <p>10 Q. When did he leave?</p> <p>11 A. I don't know.</p> <p>12 Q. Did he leave voluntarily?</p> <p>13 A. I don't know.</p> <p>14 Q. Do you know how his performance</p> <p>15 was at the end of '08?</p> <p>16 A. I don't.</p> <p>17 Q. Did you contribute in any way to</p> <p>18 his performance evaluation?</p> <p>19 A. I don't know.</p> <p>20 Q. When you decided not to close or</p> <p>21 when it was decided that the housing group</p> <p>22 would remain, did you consider Raymond Hsieh</p> <p>23 for layoff?</p> <p>24 A. I don't recall.</p> <p>25 Q. The same question for Jian Yang.</p>	<p>Page 204</p>

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AMY BARTOLETTI vs CITIGROUP INC.

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209-212

	Page 209	Page 211
1	D. BROWNSTEIN	
2	A. Fred Hessler and David Cyganowski.	1 D. BROWNSTEIN
3	Q. They were both based in the New	2 would you have been involved in the
4	York office, correct?	3 decision-making process to promote people in
5	A. Correct.	4 the healthcare group?
6	Q. Do you know if they spent a lot	5 A. No.
7	time of in Chicago?	6 Q. Were you involved at all in the
8	A. I think Fred and David spent time	7 decision to promote Lisa to director?
9	everywhere. They were always on the road and	8 A. Not that I recall.
10	so was Lisa. I am sure they were together a	9 Q. If she was promoted in 2005, would
11	decent amount, but I don't know specifically	10 you have been involved in that decision if you
12	where and when.	11 were not the co-head of the finance
13	Q. Were there managing directors in	12 department?
14	the Chicago office?	13 A. No.
15	A. Yes.	14 Q. Would Frank Chin have been
16	Q. How many?	15 involved?
17	A. In healthcare?	16 A. Yes.
18	Q. Yes. And I am talking about	17 Q. The same thing going back to vice
19	November of 2008.	18 president, would Frank Chin have been involved
20	A. In healthcare?	19 in that decision?
21	Q. Yes.	20 A. I believe so, yes.
22	A. November of 2008.	21 Q. Were you ever involved in the
23	Q. That's not going to help you.	22 decision-making process to promote someone to
24	A. I don't know on a specific date.	23 director?
25	There were two in healthcare in that office.	24 A. I am not a shy person, so if
		25 someone is up for promotion that I have a
	Page 210	Page 212
1	D. BROWNSTEIN	1 D. BROWNSTEIN
2	I don't know when -- one of them was RIFed,	2 relationship with, there would be no reason I
3	and I don't know when that was.	3 wouldn't speak up, even if I wasn't directly
4	Q. Do you know if they would have	4 involved.
5	been in a better position to comment on Lisa's	5 Q. Do you recall ever participating
6	work performance then, the group heads?	6 in the decision to promote somebody to
7	A. No, I don't believe so.	7 director?
8	Q. Why not?	8 A. Outside of the business I was in?
9	A. Because I think Lisa worked very	9 Q. While at Citi.
10	closely with David and Fred as with the whole	10 A. Of course.
11	team.	11 Q. In your role as group head or
12	Q. Do you recall when Lisa was	12 co-group head to the derivatives group?
13	promoted to vice president?	13 A. Sure.
14	A. I don't.	14 Q. And how about in your role as
15	Q. Did she participate in any way in	15 co-head of the public finance department?
16	that decision to promote her?	16 A. Yes.
17	A. To vice president?	17 Q. Do you recall anyone you promoted
18	Q. Yes.	18 to director prior to the end of 2008 while you
19	A. What was her title when she left?	19 were co-head of the PFD?
20	Was she a director.	20 A. No. I mean, there were many I am
21	Q. I will represent to you that it	21 sure, but I don't have a specific.
22	was director.	22 Q. What factors did you take into
23	A. Okay. I don't remember.	23 account when determining whether someone
24	Q. Prior to the time you became	24 should be promoted to director?
25	co-head of the public finance department,	25 A. Performance as well as time in

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<p>1 D. BROWNSTEIN</p> <p>2 Q. Are healthcare clients involved in</p> <p>3 the derivatives area?</p> <p>4 A. Correct.</p> <p>5 Q. Did you ever hear anything</p> <p>6 negative about Lisa's performance?</p> <p>7 A. No.</p> <p>8 Q. Do you know who Ryan Freel is?</p> <p>9 A. Yes.</p> <p>10 Q. Who is he?</p> <p>11 A. He is a director in Chicago.</p> <p>12 Q. In the healthcare group?</p> <p>13 A. Correct.</p> <p>14 Q. Did you ever work with Ryan?</p> <p>15 A. Yes.</p> <p>16 Q. What do you think about his</p> <p>17 performance?</p> <p>18 A. I think he is a superb marketer,</p> <p>19 new business banker.</p> <p>20 Q. And I am talking about from '08</p> <p>21 prior. I just want to clarify.</p> <p>22 A. Always.</p> <p>23 Q. Do you know which clients he had</p> <p>24 the primary relationship with?</p> <p>25 A. As I have said, in the healthcare</p>	<p>Page 217</p> <p>1 D. BROWNSTEIN</p> <p>2 day business with the healthcare clients we</p> <p>3 have. So I don't know.</p> <p>4 Q. That would be more for a group</p> <p>5 head matter?</p> <p>6 A. Correct.</p> <p>7 Q. Were you involved in the decision</p> <p>8 to select Lisa for layoff?</p> <p>9 A. Not directly, no.</p> <p>10 Q. Were you involved indirectly?</p> <p>11 A. Ultimately, the list would have</p> <p>12 gone to me for approval.</p> <p>13 Q. Do you know who put Lisa's name on</p> <p>14 the list?</p> <p>15 A. No.</p> <p>16 Q. Do you know if it would have been</p> <p>17 one of her group heads?</p> <p>18 A. Yes.</p> <p>19 Q. But you don't know which one?</p> <p>20 A. No.</p> <p>21 Q. Did you and Frank Chin have a</p> <p>22 discussion about Lisa being included on this</p> <p>23 list?</p> <p>24 A. I don't recall.</p> <p>25 Q. And because you worked with Lisa,</p>
<p>1 D. BROWNSTEIN</p> <p>2 space, there was no lead banker for an</p> <p>3 account. I think the only account I could</p> <p>4 think of in the healthcare space where there</p> <p>5 weren't three or four bankers working together</p> <p>6 as partners, would be Bloomington Hospital and</p> <p>7 that was Lisa because it was very small. But</p> <p>8 other than that, you know, if I say Ryan's</p> <p>9 name I would say five other bankers names at</p> <p>10 the same time.</p> <p>11 Q. Now is there a difference between</p> <p>12 being a lead banker and having the primary</p> <p>13 relationship with the client?</p> <p>14 A. Sure.</p> <p>15 Q. And so my question then is, do you</p> <p>16 know which clients Ryan had the primary</p> <p>17 relationship with?</p> <p>18 A. I don't, because that wasn't</p> <p>19 something in my function that mattered.</p> <p>20 Q. Your function as the being co-head</p> <p>21 of public finance?</p> <p>22 A. No, as the derivatives banker.</p> <p>23 Q. How about co-head of the public</p> <p>24 finance?</p> <p>25 A. I rarely get involved in day to</p>	<p>Page 218</p> <p>1 D. BROWNSTEIN</p> <p>2 thought highly of her, were you surprised that</p> <p>3 she was on this list?</p> <p>4 A. No.</p> <p>5 Q. Were you not surprised she was on</p> <p>6 this list?</p> <p>7 A. No.</p> <p>8 Q. Did you ever speak to the group</p> <p>9 heads about Lisa's inclusion on the list?</p> <p>10 A. No.</p> <p>11 Q. Why not?</p> <p>12 A. They ran their business, they had</p> <p>13 to make the decisions that were best for their</p> <p>14 business. It wasn't my place to get in the</p> <p>15 middle of that.</p> <p>16 Q. Was Lisa always on the list?</p> <p>17 MR. TURNBULL: Objection to the</p> <p>18 form.</p> <p>19 A. I don't know.</p> <p>20 Q. Do you know why the group head</p> <p>21 selected Lisa?</p> <p>22 A. I don't.</p> <p>23 MR. DATOO: Let's take a</p> <p>24 five-minute break.</p> <p>25 THE VIDEOGRAPHER: We're now going</p>

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1 D. BROWNSTEIN 2 off the record at 3:06 P.M. and this is 3 the end of disk number three. 4 (Recess taken from 3:06 p.m. 5 3:27 p.m..) 6 THE VIDEOGRAPHER: This is the 7 beginning of disk four in the Brownstein 8 deposition. We are now going on the 9 record at 3:27 P.M.. 10 Q. Mr. Brownstein, did you speak to 11 Mike Koessel at all about laying Chia off? 12 A. I don't recall. 13 Q. Do you know if he had any input 14 into the decision to lay Chia off? 15 A. I don't believe so. 16 Q. Did you tell Mr. Koessel that Chia 17 was going to be laid off? 18 A. I don't believe so. 19 Q. Who in the healthcare group did 20 you speak to, if anyone, about the fourth RIF? 21 A. Generally about the fourth RIF or 22 specifically about something? 23 Q. Generally about the fourth RIF. 24 A. It would have been David or Fred, 25 but I don't recall who or both.	Page 221	1 D. BROWNSTEIN 2 A. No. 3 Q. Did you hear anything negative 4 about her? 5 A. No. 6 Q. Were you involved in the decision 7 to lay Britney off? 8 A. Again, as I said before, 9 ultimately the list would come to Frank and me 10 and we approved the list. So in that respect, 11 yes. 12 Q. So you weren't involved in 13 selecting her for layoff, were you? 14 A. No. 15 Q. And do you know who was? 16 A. No. 17 Q. Do you know what group does Tom 18 Creed head? 19 A. Infrastructure. 20 Q. Do you know if Britney was part 21 the infrastructure group? 22 A. I don't. 23 Q. Do you recall ever having a 24 discussion with anybody about Britney 25 Sharpton?	Page 223
1 D. BROWNSTEIN 2 Q. Do you recall speaking to David or 3 Fred specifically about the fourth RIF? 4 A. No. 5 Q. And when you spoke to David and/or 6 Fred, did you give them any criteria about who 7 they should be looking at? 8 A. No. Again, I don't recall 9 speaking to them, but I don't believe we would 10 have given criteria, other than that this was 11 about revenue -- you know, the cost basis of 12 the place. 13 Q. Do you know what Britney 14 Sharpton's job title was in November of 2008? 15 A. No. 16 Q. Do you know what her job duties 17 were? 18 A. No. 19 Q. Do you know what group she was in? 20 A. No. 21 Q. Were you familiar with her work 22 performance? 23 A. No. 24 Q. Did you ever hear about her work 25 performance?	Page 222	1 D. BROWNSTEIN 2 A. I don't. 3 Q. At any point in time. 4 A. I don't. 5 Q. Do you know why Britney was 6 selected for layoff? 7 A. I don't. 8 Q. Do you recall speaking to Tom 9 Green about the fourth RIF? 10 A. Specifically, no. 11 Q. What about generally? 12 A. No, I mean about the fourth RIF 13 when I say versus any RIF. 14 Q. Okay. 15 A. So I am sure we had discussions, 16 but I don't remember a specific about that 17 RIF. I am sure there was one, I just don't 18 remember. 19 Q. Do you recall a discussion? 20 A. I don't. 21 Q. Do you know if either you or Frank 22 Chin gave Mr. Green any criteria about who to 23 select for layoff in this group? 24 A. I don't. 25 Q. Would you have given him any	Page 224

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<p>1 D. BROWNSTEIN</p> <p>2 A. No.</p> <p>3 Q. How many times did you meet Nadine</p> <p>4 before you invited her over for dinner?</p> <p>5 A. Many. I came across her in</p> <p>6 business all the time.</p> <p>7 Q. You didn't work on any</p> <p>8 transactions?</p> <p>9 A. No, but when I was in Orlando and</p> <p>10 she was in New York, we talked to each other.</p> <p>11 We work together, we're in the same business,</p> <p>12 the same firm.</p> <p>13 Q. Do you know if Nadine was put up</p> <p>14 for promotion out of cycle?</p> <p>15 A. I don't.</p> <p>16 Q. Were you involved in the decision</p> <p>17 to lay off Nadine?</p> <p>18 A. As I said before, ultimately the</p> <p>19 lists came to me and Frank and had to be</p> <p>20 approved by us. So the answer would be yes.</p> <p>21 Q. Were you involved in the selection</p> <p>22 of Nadine for layoff?</p> <p>23 A. No.</p> <p>24 Q. Who was responsible for that?</p> <p>25 A. The regional manager in the region</p>	<p>Page 229</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Do you know if he was involved in</p> <p>3 that process?</p> <p>4 A. I don't.</p> <p>5 Q. Did you ever speak to Bart about</p> <p>6 Nadine?</p> <p>7 A. Not that I can recall, no.</p> <p>8 Q. Did you ever speak to Norm about</p> <p>9 Nadine?</p> <p>10 A. Not that I can recall, no.</p> <p>11 Q. Do you know what criteria Norm or</p> <p>12 Bart used in selecting people for layoff?</p> <p>13 A. No.</p> <p>14 Q. Specifically with respect to the</p> <p>15 fourth RIF.</p> <p>16 A. Correct.</p> <p>17 Q. So the answer is still no?</p> <p>18 A. Correct.</p> <p>19 Q. Do you know if Frank or yourself</p> <p>20 gave Norm or Bart any criteria to use when</p> <p>21 determining who to select for layoff?</p> <p>22 A. I don't remember.</p> <p>23 Q. Do you know why Nadine was</p> <p>24 selected for layoff?</p> <p>25 A. I don't.</p>
<p>1 D. BROWNSTEIN</p> <p>2 that she worked.</p> <p>3 Q. How about her group head?</p> <p>4 A. Her group was a region. She</p> <p>5 wasn't in the infrastructure, she was in the</p> <p>6 southeast region, so it is a regional head.</p> <p>7 Q. Do you know if Nadine worked for</p> <p>8 the southeast group?</p> <p>9 A. Region, yes, I believe so.</p> <p>10 Q. Who was in charge of the</p> <p>11 southeast?</p> <p>12 A. Norm Pellegrini.</p> <p>13 Q. And Bart Livolsi was in charge of</p> <p>14 all the regions?</p> <p>15 A. Yes. Correct.</p> <p>16 Q. Who would have been responsible</p> <p>17 for selecting Nadine?</p> <p>18 A. Initially, Norm Pellegrini.</p> <p>19 Q. Why Norm initially?</p> <p>20 A. Because she worked for him</p> <p>21 directly.</p> <p>22 Q. And would Bart have been involved</p> <p>23 in that process?</p> <p>24 A. Potentially could have been, I</p> <p>25 don't know.</p>	<p>Page 230</p> <p>1 D. BROWNSTEIN</p> <p>2 Q. Do you know who Mike Baldwin is?</p> <p>3 A. Yes.</p> <p>4 Q. Who is he?</p> <p>5 A. He is a director in the Orlando</p> <p>6 office.</p> <p>7 Q. Do you know what area he</p> <p>8 specializes in?</p> <p>9 A. I don't.</p> <p>10 Q. Do you know if he worked on school</p> <p>11 district transactions?</p> <p>12 A. He does work on school district</p> <p>13 transactions, yes.</p> <p>14 Q. Do you know if he did in November</p> <p>15 of 2008?</p> <p>16 A. I don't.</p> <p>17 Q. Do you know how the school</p> <p>18 district practice was doing in 2008?</p> <p>19 A. I don't.</p> <p>20 Q. How is it doing now?</p> <p>21 A. I don't.</p> <p>22 Q. You don't know how it is doing</p> <p>23 now?</p> <p>24 A. No.</p> <p>25 Q. Hopefully you will be able to read</p>